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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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KLEIN-BECKER USA, LLC, a Limited Liability  
Company, and KLEIN-BECKER IP HOLDINGS,  
LLC, a Nevada Limited Liability Company,

Plaintiffs,

vs.

COLLAGEN CORPORATION; DOCTORS SKIN  
CARE INSTITUTE MEDICAL CLINIC, INC.; and  
LESLIE FEINSTEIN *aka* L. LOUISE BRODY *aka*  
LOUISE BRODY FEINSTEIN *aka* LOUISE LESLIE  
FEINSTEIN,

Defendants.

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Civil Action No. 2:07-CV-00873 TS

Judge Ted Stewart

**ANSWER**

Defendants, Collagen Corporation, et al., hereby answers Plaintiffs' Complaint as  
follows:

1. Defendants admit.
2. Defendants admit as to the first sentence of ¶ 2. Defendants deny as to the second sentence of ¶ 2.
3. Defendants deny.
4. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.
5. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.
6. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.
7. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.
8. Defendants admit.
9. Defendants admit.
10. Defendants admit.
11. Defendants admit.
12. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.
13. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.
14. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.
15. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.
16. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

17. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

18. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

19. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

20. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

21. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

22. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

23. Defendants deny.

24. Defendants deny.

25. Defendants deny.

26. Defendants deny.

27. Defendants deny.

28. Defendants deny.

29. Defendants deny.

a. Deny as to light-colored rectangular box, admit as to the rest.

b. Admit.

c. Admit.

d. Deny as to salmon-colored band, admit as to the rest.

e. Deny.

f. Deny.

g. Deny.

h. Admit.

i. Admit.

j. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

k. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

l. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

m. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

n. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

o. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

p. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

q. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

r. Defendants deny.

s. Defendants deny.

30. Defendants deny.

31. Defendants deny.

32. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

33. Defendants deny.

34. Defendants deny.

35. Defendants lack sufficient information or belief so as to be able to respond, therefore denied.

36. Defendants deny.
37. Defendants deny.
38. Defendants deny.
39. Defendants incorporate the earlier given responses.
40. Defendants deny.
41. Defendants deny.
42. Defendants deny.
43. Defendants deny.
44. Defendants deny.
45. Defendants deny.
46. Defendants deny.
47. Defendants deny.
48. Defendants incorporate the earlier given responses.
49. Defendants deny.
50. Defendants deny.
51. Defendants deny.
52. Defendants deny.
53. Defendants incorporate the earlier given responses.
54. Defendants deny.
55. Defendants deny.
56. Defendants deny.
57. Defendants incorporate the earlier given responses.
58. Defendants deny.
59. Defendants deny.
60. Defendants deny.
61. Defendants deny.
62. Defendants deny.

**Affirmative Defenses**

1. Failure to state a claim upon which relief may be granted.
2. Court lacks personal jurisdiction over Defendants,
3. Defendants have used certain brand name, colors, and product packaging from a time before Plaintiffs' product.
4. Waiver, estoppel, laches.

**Prayer for Relief**

- a. All claims and remedies of Plaintiff be denied and all claims be dismissed.
- b. Defendants be awarded attorney's fees.

DATED this 7<sup>th</sup> day of February, 2008.

KIRTON & McCONKIE

By: s/Todd E. Zenger  
Todd E. Zenger  
Dax D. Anderson

Attorneys Defendants  
COLLAGEN CORPORATION, ET AL.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7<sup>th</sup> day of February, 2008, the foregoing ANSWER was electronically filed with the Clerk of the Court, District of Utah, using the CM/ECF system, which sent notification of such filing to the following:

Brent V. Manning  
Chad R. Derum  
MANNING CURTIS BRADSHAW & BEDNAR, LLC  
Third Floor Newhouse Building  
10 Exchange Place  
Salt Lake City, Utah 84111

s/Margaret L. Carlson

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